

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
-----X  
GARDEN CITY BOXING CLUB, INC.

Plaintiff

07 CV 4737

-AGAINST-

494 LATINO RESTAURANT INC.  
d/b/a LATINO RESTAURANT  
and LAURENTINO MENDEZ

**DEFAULT JUDGMENT**

Defendant  
-----X

This action having been commenced on June 4, 2007 by the filing of the Summons and Complaint, and a copy of the Summons and Complaint having been served on the defendant, 494 Latino Restaurant Inc. d/b/a Latino Restaurant and Laurentino Mendez on June 22, 2007, and a proof of service having been filed on July 6, 2007 and the defendant not having answered the Complaint, and the time for answering the Complaint having expired, it is

ORDERED, ADJUDGED AND DECREED: That the plaintiff have judgment against defendant in the amount of \$20,000.00 with interest at 9% from June 5, 2004, amounting to \$5,500.00; plus costs and disbursements of this action in the amount of \$470.00, amounting in all to \$25,970.00

Dated: New York, New York

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Vicor Marrero  
United States District Judge

This document was entered on the docket  
on \_\_\_\_\_

UNITED STATES DISTRICT COURT  
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GARDEN CITY BOXING CLUB, INC.

Plaintiff

07 CV 4737

-AGAINST-

494 LATINO RESTAURANT INC.  
d/b/a LATINO RESTAURANT  
and LAURENTINO MENDEZ

**AFFIDAVIT FOR JUDGMENT**  
**BY DEFAULT**

Defendant

-----X  
STATE OF NEW YORK     )  
                                  )  
COUNTY OF NEW YORK   )

ss:

Paul J. Hooten, being duly sworn, deposes and says:

I am a member of the Bar of this Court and am associated with the  
firm of Paul J. Hooten & Associates, attorney for plaintiff in the above-entitled action  
and I am familiar with all the facts and circumstances in this action.

1. I make this affidavit pursuant to Rule 55.1 and 55.2(a) of the Civil  
Rules for the Southern District of New York, in support of plaintiffs application for the  
entry of a default judgment against defendant.

2. This is an action to recover the unauthorized exhibition of the telecast  
of the June 5, 2004, boxing match between Oscar De La Hoya and Felix Strum by the  
defendant at it's establishment. See attached summons and complaint attached hereto as  
Exhibit "A".

3. This action was commenced on June 4, 2007 by the filing of the summons and complaint. A copy of the summons and complaint was served on the defendant on June 22, 2007 by service on "Jane" Maria , Managing Agent.. The defendant has not answered the complaint and the time for the defendant to answer the complaint has expired.

4. This action seeks judgment in the amount of \$20,000.00, plus interest at 9% from June 5, 2004, amounting to \$5,500.00, plus costs and disbursements of this action in the amount of \$470.00 amounting in all to \$25,970.00.

WHEREFORE, plaintiff requests the entry of Default and the entry of the annexed Judgment against defendant.

Dated: Mt. Sinai, New York  
June 24, 2007

/s/ Paul J. Hooten  
Paul J. Hooten (PJH9510)

Sworn to before me this  
24<sup>th</sup> day of July, 2007

/s/ Cheryl E. Lorefice  
Notary Public

Cheryl E. Lorefice  
Notary Public, State of New York  
No. 4999823  
Qualified in Suffolk County  
Commission Expires August 3, 2010

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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Plaintiff

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-AGAINST-

494 LATINO RESTAURANT INC.  
d/b/a LATINO RESTAURANT  
and LAURENTINO MENDEZ

**STATEMENT OF DAMAGES**

Defendant

-----X

Amount of Judgment ..... \$20,000.00

Interest at 9% from June 5, 2004 through July, 2007..... \$ 5,500.00

Costs and Disbursements:

Clerk's fee ..... \$ 350.00

Process Server fee for service ..... \$ 120.00

Total as of July 23, 2007..... \$25,970.00

UNITED STATES DISTRICT COURT  
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Plaintiff

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494 LATINO RESTAURANT INC.  
d/b/a LATINO RESTAURANT  
and LAURENTINO MENDEZ

**CERTIFICATE OF SERVICE**

Defendant

-----X

I certify that a copy of the Default Judgment, Affidavit for Judgment by Default, and  
Statement of Damages was sent via U.S. Postal Service, postage prepaid, first class mail,  
addressed to the following on July 24, 2007:

494 Latino Restaurant, Inc.  
d/b/a Latino Restaurant  
494 E. 138<sup>th</sup> Street  
Bronx, NY 10454

Laurentino Mendez  
522 E. 138<sup>th</sup> Street  
Bronx, NY 10454  
Elsa Cuzo  
34-14 101<sup>st</sup> Street, #1  
Corona, NY 11369

By: /s/ Paul J. Hooten  
Paul J. Hooten, Esquire  
Attorney for Plaintiff  
5505 Nesconset Highway, Suite 203  
Mt. Sinai, NY 11766  
Telephone (631) 331-0547